
5.1 - Aesthetics

5.1.1 - Introduction

This section describes the existing aesthetics setting and potential effects on the site and its surrounding area from project implementation. Descriptions and analysis in this section are based on information contained in the visual simulations prepared in February 2009 by Rabben/Herman Design Office, included in this EIR as Appendix B, Elevations and Visual Simulations, as well as on site visits by MBA staff.

Aesthetics, as addressed in CEQA, refers to visual considerations. In Webster's *New World Dictionary*, aesthetics is defined as "the study or theory of beauty and the psychological responses to it." *Aesthetics* (or *visual resource*) analysis is, therefore, a process to logically assess visible change and anticipated viewer response to that change. As an initial step, such analysis begins with the identification of baseline conditions with regard to visual resources and entails the following steps:

1. Objective identification of the visual features (visual resources) of the landscape;
2. Assessment of the character and quality of those resources relative to overall regional visual character; and
3. Assessment of the potential significance of features in the landscape to the people who see them and their sensitivity to the proposed changes to those features.

The criteria for identifying the importance of views are related in part to the position of the viewer relative to the resource. Generally, the closer a resource is to the viewer, the more dominant it is and the greater its importance to the viewer. Visual sensitivity also depends on the number and type of viewers and the frequency and duration of views. Generally, visual sensitivity increases with an increase in total numbers of viewers, the frequency of viewing (e.g., daily or seasonally), and the duration of views (i.e., how long a scene is viewed). Also, visual sensitivity is higher for views seen by people who are driving for pleasure; people engaging in recreational activities, such as hiking, biking, or camping; and homeowners. Sensitivity tends to be lower for views seen by people driving to and from work or as part of their work (Federal Highway Administration 1983, U.S. Forest Service 1974, and U.S. Soil Conservation Service 1978).

5.1.2 - Existing Conditions

Visual Resources

Visual resources are an important component of the quality of life of any geographic area. As users experience a place, their primary sensory interaction with that place is visual in nature, and a wide variety of shapes, colors, and textures, composed by topography, structures, roadways, and vegetation, forms the views of and from the City. The City of Newport Beach is sited on a coastal plain and is bounded on three sides by the developed urban lands of Huntington Beach, Costa Mesa, and Irvine. Development in Newport Beach has been designed to capture views of the ocean,

capitalizing on the ridgelines and hillsides as vantage points. The Upper and Lower Newport Bay, draining an area of 118 square miles via the San Diego Creek and Santa Ana Delhi Channel, bisects the City and creates a dominant physical land feature that includes estuaries, beaches, the harbor, coastal bluffs, and meandering waterways unique to Newport Beach.

Open Space

Open space areas provide visual relief from urbanized areas and scenic view opportunities for motorists, pedestrians, and resident. Open space is distributed throughout Newport Beach and includes the beach, bay, parks, and underdeveloped areas.

Coastal Views

Newport Beach is located in a unique physical setting that provides a variety of spectacular coastal views, including those of the open waters of the ocean and bay, the harbor, sandy beaches, rocky shores, wetlands, canyons, and coastal bluffs. The City has historically been sensitive to the need to protect and provide access to these scenic and visual resources and has developed a system of public parks, piers, trails, and viewing areas. Coastal views are also provided from a number of streets and highways, and, due to the grid pattern in Balboa Peninsula, many north/south-tending streets provide view corridors to the ocean and bay.

Viewers

Different types of viewers have differing sensitivity to visual quality and visual quality change based on their familiarity with the view, their sense of ownership of that view, and their activity, which determines how much attention they can pay to the view.

Typical Viewers

Typical viewers, with some exceptions, usually have an average sensitivity to visual quality or change. These include people on the local roadway system, including motorists, bicyclists, and pedestrians. Such viewers have varying sensitivity depending on their purpose of travel. If they are traveling to simply get from one place to another for business or pleasure, their sensitivity would normally be average. However, if they are traveling for pleasure, then it is likely they would be more sensitive to their surroundings.

Residential Viewers

Residential viewers are typically very sensitive to visual quality and changes in visual quality. This is because of their familiarity with the view, their potential investment in the area (if they are homeowners or long-time residents), and their sense of ownership of the view. The view from their residences and yards at times represents a visual extension of their property, and changes in this view are noticeable and can result in strong positive or negative reactions. Residential viewers within the viewshed of the project would be located in the residential neighborhoods to the southwest, south, and southeast of the project site. CEQA requires a project to consider whether the project will affect the environment of persons generally within a project area, not if a project will affect particular persons.

Where projects are visible from a few private views within a project's immediate vicinity, the impact is not generally regarded as significant.

Sensitivity

It is important to note that this discussion addresses average viewer sensitivity. Some viewers are more or less sensitive than their activity or ownership would indicate. Individuals' reactions to views vary greatly depending upon a number of factors, including how much they know or care about the view, their personal tastes, and their opinions about the activity they are viewing.

Visual Character of Surrounding Area

The most dominant visual feature to the north is a sidewalk and public beach in the foreground, beyond which is Newport Harbor and numerous boat moorings, including yachts and sailboats. There are various one- and two-story residential buildings across the bay and on Lido Island and Lido Peninsula.

Areas surrounding the project site on the west, south, and east are dominated by various one- and two-story residential uses. To the southeast is a Southern California Edison (SCE) sub-station and scattered multi-story commercial uses, such as a hotel, which is located just west of the site at 18th Street, and various businesses at the corner of 15th Street at Balboa Boulevard. There are also two churches east and southeast of the site (i.e., east of 15th Street). Other views in the area consist of the American Legion Post 291 to the east and 18th Street to the west.

Visual Character of Project Site

The project site is visible from Balboa Boulevard, the main arterial for the Balboa Peninsula, and from various locations in and across the Newport Bay to the north. The site encompasses approximately 10.45 acres and contains the Marina Park mobile home park, a public beach, and Las Arenas Park. Las Arenas Park consists of a metered parking lot with 21 stalls, Balboa Community Center, the Neva B. Thomas Girl Scout House, four public tennis courts with 10-foot high screen fences, a children's play area, and a grass area with one picnic table.

Minimal vegetation is present onsite, with the exception of some non-native, ornamental landscaping, and a row of palm trees that line the boardwalk adjacent to the public beach situated along the northern portion of the project. Minimal security lighting exists, and light standards for the four existing tennis courts provide lighting during nighttime periods. Site topography is relatively flat with little or no variation.

Three onsite views from Balboa Boulevard are provided in Exhibits 5.1-1 through 5.1-3. These views illustrate the visual character of the existing project site and the proposed project site. The photographs are described below.



Source: Google Earth Pro, 2008.



Existing View 1



Existing View 2

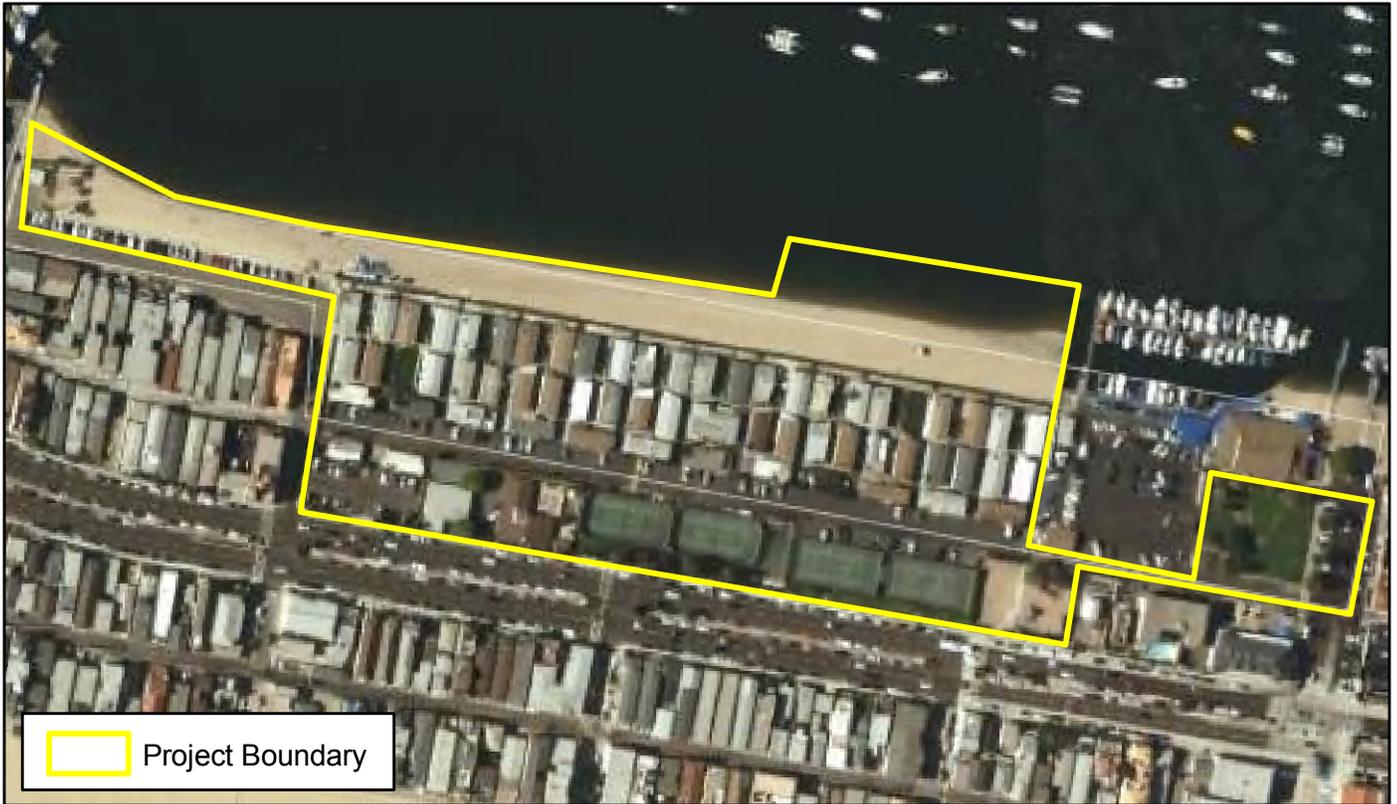


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Exhibit 5.1-2 Existing Views

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No existing ground-level view corridor to Bay from Balboa Boulevard.



Proposed view corridor to Bay from Balboa Boulevard.



Photograph Locations. (Exhibit 5.1-2)

Existing View 1

This viewpoint is immediately west of the Balboa Boulevard/17th Street intersection facing north toward the project site. As shown in the existing view, this area of the project site is dominated by fencing surrounding the tennis courts at Las Arenas Park and several mature trees lining Balboa Boulevard adjacent to the park. No view to the bay is afforded presently.

Existing View 2

This viewpoint is at the south side of Balboa Boulevard at the 16th Street intersection facing northwest toward the project site. This location includes additional views of Las Arenas Park with ivy-covered chain-link fencing surrounding the tennis courts and a sandy vacant area. A portion of the Marina Park mobile home park is also visible in the background. Electrical lines are also visible at this location. Palm trees that line the beach are visible, but Newport Bay is not.

Light and Glare

There are two typical types of light intrusion. First, light emanates from the interior of structures and passes through windows. Second, light projects from exterior sources, such as street lighting, building illumination, security lighting, and landscape lighting. Glare mainly results from sunlight reflection off flat building surfaces, with glass typically contributing the highest degree of reflectivity. Glare effects are associated with carious building materials and vehicles during the daylight hours. Light introduction can be a nuisance to adjacent residential areas and diminish the view of the clear night sky.

Analysis of potential light and glare impacts with regard to visual resources considers the following:

- **Glare:** Light that causes visual discomfort or disability or a loss of visual performance. Glare is the annoyance resulting from high luminaries or insufficiently shielded light sources in the field of view.
- **Spill Light:** Light from an installation that falls outside of the boundaries of the property on which the installation is sited.
- **Luminaire (light fixture):** A complete lighting unit consisting of one or more electric lamps, the lamp holder, reflector, lens, diffuser, ballast, and/or other components and accessories.
- **Shielding:**
 - Fully shielded - A luminaire emitting no light above the horizontal plain.
 - Shielded - A luminaire emitting less than 2 percent of its light above the horizontal plane.
 - Partly shielded - A luminaire emitting less than 10 percent of its light above the horizontal plane.

- **Footcandle:** A measure of light intensity widely used in the lighting industry. The unit is defined as the amount of illumination the inside surface an imaginary 1-foot radius sphere would receive if there were a uniform point source of one candela in the exact center of the sphere.

Onsite Light and Glare

Due to the developed nature of the project site, as of 2008 light and glare are primarily attributed to indoor lighting from the Marina Park mobile homes. Also, security lighting for the basketball and tennis courts are visible on the project site. Furthermore, headlights associated with vehicular traffic traveling on Balboa Boulevard can provide periodic illumination on the project site.

Regulatory Setting

Federal

No existing federal regulations pertain to the visual resources within the proposed project area.

State

California Coastal Act Policy 30251

According to the California Coastal Act Policy 30251, the scenic and visual qualities of coastal areas shall be considered and protected as resources of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local governments shall be subordinate to the character of its setting.

Caltrans Scenic Highways

The California Department of Transportation (Caltrans) defines a scenic highway as any freeway, highway, road, or other public right of way that traverses an area of exceptional scenic quality. Suitability for designation as a State Scenic Highway is based on vividness, intactness, and unity. However, there are no officially designated scenic highways within Newport Beach.

Local

City of Newport Beach General Plan

Visual resources are addressed in the Natural Resources Element of the City's General Plan. The General Plan acknowledges the unique physical setting of the City, which offers spectacular views of the ocean, bay, sandy beaches, and coastal bluffs. The City has historically been sensitive to the need to protect and provide access to these scenic resources and has developed a system of public parks, piers, trails, and viewing areas. The City's development standards, including bulk and height limits, have helped preserve scenic views and regulate the visual and physical mass of structures consistent with the visual scale and unique character of the City.

NR 20.1 Enhancement of Significant Resources (page 10-36)

Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3 (General Plan Figure NR3, Coastal Views)

NR 20.1 New Development Requirements (page 10-36)

Require new development to restore and enhance the visual quality in visually degraded areas, where feasible, and provide view easements or corridors designed to protect public views or to restore the public's views in developed areas, where appropriate.

NR 20.4 Public View Corridor Landscaping (page 10-39).

Design and site new development, including landscaping, on the edges of public view corridors, including those down public streets, to frame, accent, and minimize impacts to public views

NR 20.5 Public View Corridor Amenities (page 10-39).

Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible

City of Newport Beach Zoning Code

Existing regulations that could be applicable to the project include codes related to height limits. However, since the main buildings proposed on the project site would be less than 35 feet in height and the City's zoning code allows for architectural features (i.e., the proposed roof that depicts a sail feature on the Balboa Center Complex and the light house tower) to exceed the height limits, the City has determined that the proposed architectural features of the project would be exempt from the existing zoning code related to height limits.

The project site is located within the Shoreline Height Limitation zone, which establishes a maximum height limit of 35 feet. The main buildings proposed on the project site are within the 35-foot height limit. However, the sail feature on the Balboa Center Complex and the lighthouse tower exceed the 35-foot height limit. The City's Zoning Code provides for exceptions to this height limit, including vertical architectural features, such as towers, spires, cupolas, and steeples. Therefore, the City has determined that these architectural features are consistent with regulations of the Shoreline Height Limitation Zone.

Local Coastal Program

Chapter 4.4 of the City of Newport Beach Local Coastal Program Coastal Land Use Plan (CLUP) includes scenic and visual resources policies, including coastal view protection, bulk and height limitations, natural landform protection, and sign and utility regulations. Where feasible, the scenic and visual qualities of the coastal zone are to be protected, including public views to and along the ocean, bay, and harbor. Coastal views from designated roadway segments are to be protected pursuant to Policy 4.4.1-6. Relative to the proposed project site, public coastal views are to be

protected at the 15th street dead end, directly adjacent to American Legion Post 291. There are no road segments adjacent to the project site that are designated for coastal view protection.

Shoreline Height Limitation Zone

Concern over the intensity and development around Lower Newport Bay led to the adoption of a series of ordinances in the early 1970s that established more restrictive height and bulk development standards around the bay. The intent was to regulate the visual and physical mass of structures consistent with the character and visual scale of Newport Beach. As a result, new development within the Shoreline High Limitation Zone is limited to a height of 35 feet. The main buildings proposed on the project site would be less than 35 feet in height. Although the proposed lighthouse feature and the roof that depicts a sail feature on the Balboa Center Complex would exceed the shoreline height limitation with heights of 35 feet, 6 inches and 73 feet, respectively. The City's zoning code allows exceptions to the height limits for architectural features such as the proposed sail feature and the lighthouse tower. Therefore, the project is considered consistent with the Shoreline Height Limitation Zone.

Recreation and Open Space Element Policy

Policy 6.2 of the Recreation and Open Space Element pertaining to coastal views states that existing view opportunities should be protected and enhanced, especially views of the ocean, harbor, and upper bay, in accordance with the Local Coastal Program (LCP).

5.1.3 - Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, the following questions are analyzed and evaluated to determine whether impacts to aesthetics are significant environmental effects. Would the project:

- a.) Have a substantial adverse effect on a scenic vista?
- b.) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?
- c.) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d.) Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

5.1.4 - Project Impact Analysis and Mitigation Measures

This section discusses potential impacts associated with the proposed project and provides mitigation measures where necessary.

Scenic Vista

Impact 5.1-A: The project would not have a substantial adverse effect on a scenic vista.

Project-Specific Analysis

View corridors to Newport Bay from public rights of way adjoining the project site are obstructed by existing improvements on the site as shown in Exhibits 5.1-1 and 5.1-2. The proposed marina will extend within 100 feet of Balboa Boulevard, which will create a dramatic visual element on the streetscape. The City's Local Coastal Program identifies one vantage point located on 15th Street directly adjacent to American Legion Post 291; however, construction of the proposed project would reduce intensification and not obstruct views of the Bay from this location. Implementation of the proposed project would provide enhanced views of the Bay for pedestrians and motorists traveling along Balboa Boulevard, as shown in the visual simulations on Exhibit 5.1-4.

Future views as shown in the simulated view in Exhibit 5.1-4 (View Corridor 1) would include the main pedestrian entrance to Marina Park, landscaped trees bordering the walkways, and open lawn areas. This intersection will not provide vehicular access in order to keep the view free from cars and congestion. This location will include a monument sign, landscaping, and a water feature. A large linear view of the Newport Bay will be provided after project construction, and electrical lines will be placed underground. Implementation of the proposed project would result in a less-than-significant visual impact from this photograph location.

Future views as shown on Exhibit 5.1-4 (View Corridor 2) would consist of the main vehicular entrance into the Balboa Center Complex and Sailing Center's parking lot, a direct line of site to the proposed marina, and landscaped palm trees. A large view of the bay will be provided through the proposed project. The project also includes the placement of utilities underground, whereas currently utility lines can be seen running above the project site. Implementation of the proposed project would result in a less-than-significant visual impact from this location.

Based on the above simulations, implementation of the proposed project would result in no adverse impacts on a scenic vista.

Cumulative

Development of the proposed project would not affect a scenic vista. Therefore, the project would not contribute to a potential cumulative impact on a scenic vista.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

No impact.



View Corridor 1



View Corridor 2



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Exhibit 5.1-4 Visual Simulations of Proposed View Corridors

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Cumulative

No impact.

Scenic Resources within a State Scenic Highway

Impact 5.1-B: **The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway.**

Project-Specific Analysis

According to the Environmental Impact Report for the City of Newport Beach General Plan, there are no officially designated state scenic highways within the City of Newport Beach. Therefore, implementation of the proposed project would have no impact on scenic resources within a state scenic highway.

Cumulative

Development of the proposed project would not affect scenic resources within a state scenic highway. Therefore, the project would not contribute to cumulative impacts on scenic resources within a state scenic highway.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

No impact.

Cumulative

No impact.

Visual Character

Impact 5.1-C: **The project would not substantially degrade the existing visual character or quality of the site and its surroundings.**

Project-Specific Analysis

Short-Term Impacts

While the construction activities associated with implementation of the project would alter the visual characteristics of the project site, these activities would not substantially degrade the visual character or quality of the site or its surroundings. These construction and grading activities will result in the removal of the sparse non-native vegetation on the site and the demolition of 57 mobile home units as well as the existing Arenas Park facilities, the Girl Scout house, and the Community Center. The

grading activities will include truck traffic, construction debris, and construction equipment. The grading equipment includes scrapers, bulldozers, graders, and backhoes. Since the project site is relatively flat and the project includes the dredging of soil materials from the proposed marina, the project includes stockpiling soil on the site to dry out the soil/sand so that it can be used on the project site or for beach replenishment on the site and other sites around Newport Bay. Since the soil/sand needs to be dried, the stockpile would be spread throughout the majority of the site; therefore, the height of the stockpile would not be substantial. Furthermore, additional fence screening will be provided onsite to minimize construction views. Equipment for grading activities would be staged at various locations throughout the site. These impacts would be temporary and would result in less-than-significant visual impacts.

Long-Term Impact

Implementation of the proposed project would permanently change views of the existing mobile home site to a recreational park containing open lawn areas, bio-swale filtration areas, public tennis courts, and the Balboa Center and Sailing Center. The primary views that will experience the most alteration will be from the motorists and pedestrians traveling along Balboa Boulevard.

The Balboa Center and Sailing Center will be located between 16th and 17th Streets, approximately 75 feet away from Balboa Boulevard. Approximately 930 linear feet of waterfront area will be opened up to view, and landscaped palm trees and ornamental landscaping will line pedestrian walkways and gathering points. The Balboa Center is proposed to be consistent with the City's height restriction of 35 feet. Except for two architectural features, the lighthouse that extends above the Balboa Center Complex, and the roof that depicts a sail of the Balboa Center Complex. The architectural lighthouse feature will extend up to approximately 73 feet, while the roof that depicts a sail of the Balboa Center Complex will extend up to 35 feet, 6 inches. The width of the lighthouse ranges from 18 feet at the Sailing Center roof to 8 feet at the top of the lighthouse. Due to the relatively narrow width of the proposed lighthouse feature and the opening of approximately 930 linear feet of waterfront area, implementation of the proposed project would enhance long-term visual access to the Bay. Therefore, the project will have a less than significant long-term impact.

Cumulative

Development of the proposed project would enhance land-side views to the Bay and would lessen intensification on the project site. Therefore, the project's contribution to cumulative visual impacts is less than cumulatively considerable.

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

Less than significant.

Cumulative

Less than significant.

Light or Glare

Impact 5.1-D: The project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.

Project-Specific Analysis

Lighting associated with the proposed development would introduce minor new sources of light and glare although, to a large extent, this light simply replaces the lighting currently provided at the existing facilities. Sources of light would include safety lighting for the parking lots, lighting associated with the tennis courts, and lighting associated with the Balboa Center, Sailing Center, Marina, and park, including sign lighting and security lighting. However, the existing project site already has lighting associated with the tennis courts, security lighting, and traffic associated with residents of the mobile homes.

In addition, the lighthouse tower feature will also include a lighting fixture. The top of the tower will be clad with a glass skin comprised of individual glass panels with varying levels of tinting depending on their sun orientation. There will be a single, non-directional light fixture suspended in the upper portion of the tower to act as an accent light. It is not intended to provide external illumination, but instead, to function as a marker highlighting the uppermost portion of the tower. The fixture will avoid emitting direct rays in any one direction and to minimize glare. It is also anticipated that there will be either red or blue low-intensity lights on masts on top of the tower as warning lights for aircraft. Implementation of the proposed project would not result in a substantial addition of light on the project site or emitted off the project site compared to the existing lighting occurring at the site. Therefore, lighting impacts associated with the project would be less than significant.

Glare Impacts

The project will utilize fully shielded luminaries in accordance with City of Newport Beach standards and regulations. Utilization of these luminaries, coupled with the decrease in residences on the project site, will ensure that the proposed recreational park will not create a significant glare impact on the surrounding residential land uses.

Cumulative

Implementation of the proposed project would create an amount of light and glare that would not be substantially greater than the light and glare that currently exists on the site. Therefore, the project's contribution of light and glare to the project area would not be cumulatively considerable. Thus, the project's contribution to cumulative light and glare impacts would be less than significant.

Aesthetics

Mitigation Measures

Project-Specific

No mitigation measures are required.

Cumulative

No mitigation measures are required.

Level of Significance After Mitigation

Project-Specific

Less than significant.

Cumulative

Less than significant.